

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FILED
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DISTRICT OF DELAWARE
2005 DEC 13 AM 10:55

JOHN GREEN, JR.,)

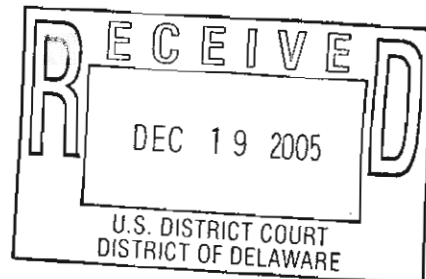
Plaintiff,)

v.)

Civil Action No. 04-920 KAJ

CAPE HENLOPEN SCHOOL DISTRICT,)
MORRIS, JAMES, HITCHENS &)
WILLIAMS LLP, JENNIFER BRIERLEY,)
Esq., GARY R. SPRITZ, Esq., VICKI)
MCGINLEY, NANCY HORTSMANN,)
SECRETARY OF EDUCATION)
VALERIE WOODRUFF, KRIS)
BATTAGLINI, SHANNON PALMER)

Defendants.)



ORDER

For the reasons set forth in the Memorandum Opinion of today's date in this matter,

IT IS HEREBY ORDERED that the defendants' Motion to Dismiss (Docket Item ["D.I."] 7) is DENIED to the extent that the plaintiff, John Green, Jr., may assert violations of his own due process rights; the Motion to Dismiss is GRANTED in all other respects, and those portions of the case hereby dismissed are dismissed without prejudice. It is further ORDERED that John Green's Motion for Representation by Counsel (D.I. 12 at 5, ¶ 24) is DENIED without prejudice.


UNITED STATES DISTRICT JUDGE

December 13, 2005
Wilmington, Delaware

Office of the Clerk

United States District Court

844 N. King Street, Lockbox 18

Wilmington, Delaware 19801-3570

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